IN THE HIGH COURT OF JUDICATURE OF BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 2952 of 2006

Mrs.Kiran Sunil Kukreja
alisa Sapna M. Makhija .. Petitioner

versus

Mr.Sunil Gopaldas Kukreja .. Respondent

...

Mr.R.R. Mishra i/b V.M. Talreja for the petitioner.

CORAM : D.G.KARNIK, JJ

DATED : 29th June 2007.

P.C.:

1. By this petition, the petitioner wife challenges the judgement and order dated 20th July 2005 passed by the learned Judge of the Family Court directing the respondent to pay her maintenance of Rs.750/- per month. Counsel submitted that the maintenance awarded is not commensurate with the income of the respondent and the maintenance should

have been much more.

2. At this stage, I am not inclined to entertain the petition for reasons more than one. Firstly, it is an interlocutory order and the view taken by the Family Court in fixing the amount of the maintenance pendente lite is a possible view. Secondly, as the learned counsel for the petitioner informs, that the main Marriage Petition itself is posted for hearing on 16th July 2007, petitioner is at liberty to request the learned Judge to take up the hearing on that date and decide it expeditiously where the question of final maintenance would also be determined. Such a request if made by the petitioner, the Family Court shall consider it appropriately.

3. With these observations, the petition is rejected summarily.

(D.G. KARNIK, J)